

**STATE ADVISORY COUNCIL ON THE EDUCATION OF CHILDREN WITH
DISABILITIES**

**May 20, 2005
Ritz Charles
Carmel, IN**

APPROVED

ADVISORY COUNCIL MEMBERS PRESENT:

David Schmidt (chair), Cynthia Diamond, Elaine Scaife, Mary Ramos, Steve Tilden, Craig Bell, Julie Swaim, Gary Bates, Down Downer, John Nally, Brian Ketzner, Karol Farrell, Cathlene Hardy Hansen, Marcia Johnson, Marti Farris, Bessie Henson

DEPARTMENT OF EDUCATION STAFF PRESENT:

Nina Brahm, Jennifer Campbell, Bob Marra, Shanida Sharp, Kristen Schunk

OTHERS PRESENT:

Gary Collings, Susan Lockwood, Terry Spradlin, Claire Thorsen, woman sitting in for John Hammond

INTERPRETERS:

Emily Schaffer and Judith Lam

MEETING

David Schmidt (chair) began the meeting at 9:45 a.m. The minutes from the February 11, 2005, were approved as a correct document.

Introduction of DEL staff

Bob Marra introduced three new Division of Exceptional Learners (DEL) staff members: Nina Brahm, legal consultant; Shanida Sharp legal intern currently attending Indiana University Law School; and Kristen Schunk, Assistant Director. Kristen was formerly from the Division of Disability, Aging, and Rehabilitative Services (DDARS) and a former member of the Advisory Council.

DEL is restructuring internally. Another attorney is coming to DEL, elementary school teacher and reading specialist and attorney. New legal person is another person that will work with you to rewrite Article 7.

Discussion of Rule Promulgation of Article 7 and Timeline

Feds will publish proposed regulations in June and hold hearings and have internal discussions until December.

Technically, Bob signed a document that said he will have Article 7 rewritten by June 30, 2006.

When Article 7 is published DEL will send a hard copy or a soft copy to Council.

In January the council will meet monthly to rewrite Article 7. If council members are not able to meet on a monthly basis please send a representative to represent your group.

Monthly meetings will be scheduled after the regulations are received.

Article 7 Revisions to Consider

- Changes in IDEA that affect Article 7: Parent Permission. Federal law does not require as much parent permission as Article 7.
- Changes in IDEA that will affect Article 7: Case Conferences. IDEA allows for greater flexibility. Needs discussion because it is a time saver for staff.
- Due Process – No changes. Will put in place immediately.
- Fiscal – No changes. Will put in place immediately.

Monthly Meetings

The council will meet the same day and same time each month. Fridays are the best day for everyone. Each council meeting will focus on a couple of rules. Rules will be given to council in a timely manner so council can internalize before meeting to discuss and rewrite rules.

Fall Meeting

Bob asked Council when to meet in the Fall and suggested meeting early in November, 2005, to review the proposed regulations of IDEIA. Council agreed to meet again in early November.

Public Meetings

Council will hold public meetings. These meetings will not be called hearings.

State Board has to officially conduct hearings after we give to them our changes and will vote on the changes. We will then do a fiscal impact, and take to the Governor's office, then to Secretary of State. At any one point there could be a

rejection and we will have to rewrite again. Timeline depends on what happens in the process.

Cooperative Issues

There is unhappiness among coops but not enough money to do what they want to do internally.

APC Funding Comparison

Bob Marra discussed the School Funding Formula. When we have more kids then you will still get the same funding amount for those children. We will receive growth money over the next two years.

Special Education Cooperatives

Discussed money issues. How special education cooperatives are spending their dollars/funding.

Preschool funding

The Division of Exceptional Learners transferred money from Alternative Residential to Preschool.

When rewriting Article 7 we could eliminate what is there now because it costs \$13,500 to educate a special education preschooler-leaving that option on the table but have them integrate children rationally to the disabled to the teacher. Preschool children do not show up in the winter months because they get sick. On May 9th are you going to hire a teacher between May 1 until June – end of school because law requires you to have a certain number of teacher ratio and children. Generating \$4,300 to educate preschool, but it actually costs \$13,500 to education preschool. Want 36% of our special Education preschoolers integrated with general education preschoolers; trying to look at indicators of reading and math and where are children. We are collecting that data this year because of feds.

Alternative Residential

We actually spent \$42 million and only had \$28 million. Vast majority is on the residential not on the wrap around. Kristen Schunk is working with Bob on mental health and Jim Payne on the Division of Children Services, Mental Health to work together to not duplicate services. Mandated mental health plan to coordinate services.

Federal Money

Increase is 5% proposal was 10% so lowest federal increase we've had in a few years. At one time was increased to 25%.

"State Comparisons of Child Count"

APC Funding Comparison – December 1, 2004-April 1, 2005. State law passed child count for special education and other's and needed to be done by April 1, 2005, comparison Group 1 went up and Group 2 went up. APC Funding Document, Group 1, Group II, Group III Count discussed.

Key: Homebound on this is any child disabled or not disabled. Cumulative Count.

Council discussed DEL's comparison of state APC Funding Count. Individual school corporations 2004 and 2005 count, severe disabled haven't dramatically changed. EH full time and EH part time – 8 and 9 year old boys; autism went up; early childhood preschool went up; LD 2003-2004 LD went down and now in a couple of months it has gone up. Majority of those increases are 18 and 19 year olds.

Bob discussed Table A11 and chart and distributed.

ISTEP Results

Bob discussed ISTEP results. Council asked to look at retest data of ISTEP.

Other Information

Gary Bates new e-mail address is gbates16@hotmail.com.

Bob noted hand outs regarding Legislators and home school.

Bob discussed the passing of Nick and his 13 years of employment.

Facilitated Individualized Education Program

Claire Thorsen presented on the facilitated individualized education program. The aim of the training is to support student progress (page 5 of blue folder). Offer this training to administrators, staff, paras and put into practice.

Indiana first state wide initiative on FIEPs across the States.

Meeting adjourned at 1:30 pm.